

REMARKS

Claims 1-18 remain pending in the application. Reconsideration is respectfully requested in light of the following remarks.

Section 103(a) Rejection:

The Examiner rejected claims 1 and 10 under 35 U.S.C. § 103(a) as being unpatentable over Alsup (U.S. Patent 7,003,629) and Beardsley et al. (U.S. Patent 6,345,295) (hereinafter "Beardsley"), claims 2, 3, 11 and 12 as being unpatentable over Alsup, Beardsley and Cherian et al. (U.S. Patent 5,930,497) (hereinafter "Cherian"), claims 4-6 and 13-15 as being unpatentable over Alsup, Beardsley and Cherian and Arsenault et al. (U.S. Patent 6,578,128) (hereinafter "Arsenault"), and claims 7-9 and 16-18 as being unpatentable over Alsup, Beardsley and Hughes (U.S. Patent 6,973,543). Applicants respectfully traverse these rejections for at least the following reasons.

The Alsup patent cannot be used for rejections under 35 U.S.C. § 103 in regard to the present application. According to 35 U.S.C. § 103(c), art which qualifies as prior art only under § 102(e), (f) or (g) is not available for rejections under § 103 if that art and the subject matter of the application under examination were owned by or subject to an obligation of assignment to the same assignee at the time the invention was made. The Alsup patent qualifies as prior art only under § 102(e), (f) or (g) since it was not published or patented until after the filing date of the present application. Also, at the time the invention was made, the subject matter of present application and the Alsup patent were both owned by or subject to an obligation of assignment to the same assignee, Advanced Micro Devices, Inc., as evidenced by the assignment for the present application recorded in the PTO at reel/frame 014894/0113 and the assignment for the Alsup patent recorded in the PTO at reel/frame 014310/0930. Therefore, per 35 U.S.C. § 103(c), the Alsup patent cannot be used for rejections under 35 U.S.C. § 103 in regard to the present application. Thus, the rejections must be withdrawn. Applicants assert that the application is in condition for allowance.

CONCLUSION

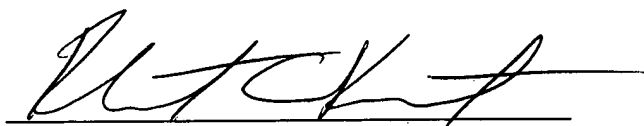
Applicants submit the application is in condition for allowance, and prompt notice to that effect is respectfully requested.

If any extension of time (under 37 C.F.R. § 1.136) is necessary to prevent the above-referenced application from becoming abandoned, Applicants hereby petition for such an extension. If any fees are due, the Commissioner is authorized to charge said fees to Meyertons, Hood, Kivlin, Kowert, & Goetzel, P.C. Deposit Account No. 501505/5500-90300/RCK.

Also enclosed herewith are the following items:

- ☒ Return Receipt Postcard
- ☐ Petition for Extension of Time
- ☐ Notice of Change of Address
- ☐ Other:

Respectfully submitted,



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